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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,333	03/06/2002	Imed Gharsalli	01-484	9000
719	7590	12/17/2003	EXAMINER	
			NGUYEN, KIMNHUNG T	
CATERPILLAR INC. 100 N.E. ADAMS STREET PATENT DEPT. PEORIA, IL 616296490			ART UNIT	PAPER NUMBER
			2674	
DATE MAILED: 12/17/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/092,333	GHARSALLI ET AL.	
	Examiner	Art Unit	
	Kimnhung Nguyen	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
 - 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) ____ is/are allowed.
- 6) Claim(s) 1-15 is/are rejected.
- 7) Claim(s) ____ is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2-3</u> .	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

This Application has been examined. The claims 1-15 are pending. The examination results are as following.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4-8, 12-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Nagao (US patent 6,532,003).

Regarding claims 1, and 8, Nagao discloses in figures 3 and 7, a method for controlling a parameter of at least one signal including the steps of: receiving a desired command signal from at least one control input (see I/O controller 3, and keyboard 2); determining a potential condition for receiving an undesired command signal from at least one other control input (see the control part 8, detects false coordinate data, therefore false coordinate data will not be executed or invalid program (see column 3, lines 9-15) ; activating a desired command as function of the desired command signal; and controlling a parameter of a signal from the at least one other control input (see coordinate detecting device 1) in response to the potential condition (see after detecting false coordinate data created by a false touch on the coordinate input panel and the data processing executes a

process for controlling key entry data other than false coordinate data as valid data, see column 11, lines 56-61, see control element for detecting false touch and therefore the data as valid data (see abstract).

Regarding claims 4-7 and 12-15, Nagao discloses wherein receiving a desired command signal includes the step of receiving command signal an automated program (see execution of programs, see column 2, lines 33-38); command signal from a proportional output device (see coordinate detecting device outputting coordinate data, see abstract); the signal includes the step of increasing an amount of deadband of the at least one other control input, or the step of a gain parameter of at least one other control input (see control element for detecting false touch and therefore the data as valid or execution of program(see figures 3 and 7-8 and see abstract). Nagao also discloses the plurality of control inputs (keyboard 22, coordinate detecting device 21) includes an automated program (see execution of programs, see column 2, lines 33-38).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2674

4. Claims 2-3 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagao (US patent 6,532,0030) in view of Alexander et al. (US 2003/0107502).

Nagao discloses a method or apparatus for controlling a parameter of at least one signal as discussed above. However, Nagao does not disclose the step of receiving a desired command signal from at least one axis of joystick, or level and wherein the joystick includes a plurality of axes. Alexander et al. disclose a joystick controller having shaft (17 or lever 17), and the joystick includes a plurality of axes (see first axis, second axis and third axis, see paragraphs 0007-0011). It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teachings of the joystick includes a plurality of axes as taught by Alexander into the apparatus or method for controlling a parameter of at least one signal of Nagao because this would be rotated about its own longitudinal axis to effect the third degree of control (see paragraph 0014).

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number (703) 308-0425.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **RICHARD A HJERPE** can be reached on (703) 305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D. C. 20231

Art Unit: 2674

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only).

Hand-delivery response should be brought to: Crystal Park II, 2121 Crystal Drive,
Arlington, VA Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703) 306-0377.

Kimnhung Nguyen
December 5, 2003



RICHARD A. LEPRE
SUPERVISORY SPECIALIST
TECHNOLOGY CENTER
DECEMBER 5, 2003